

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

v.

J.H. WALKER, INC., *et al.*,

Defendants.

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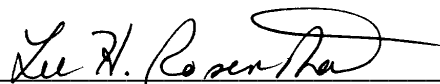
CIVIL ACTION NO. H-05-2232

ORDER

The EEOC has moved for an extension of time to answer defendants' summary judgment motion. (Docket Entry No. 21). The motion for extension asserts that additional discovery remains to be completed and asks that the court delay the response date until 20 days after the discovery cutoff.

Rules 56 does not require that all discovery be completed before a summary judgment motion is filed. Instead, Rule 56(f) specifies what a party who needs additional discovery before responding to a summary judgment motion must show. The EEOC has not filed a Rule 56(f) motion nor made any showing under Rule 56(f). The motion for extension of time is denied except to allow the EEOC until **September 24, 2006** (ten days beyond the current response date) to file its response.

SIGNED on September 11, 2006, at Houston, Texas.



Lee H. Rosenthal
United States District Judge